



JON M. HUNTSMAN, JR.  
Governor

GARY R. HERBERT  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

1003

October 19, 2009

Mr. Edwin P. Lister  
33 West 100 South  
Delta, Utah 84624

Subject: Reclamation Contract and Surety Escalation Date, Edwin P. Lister, Bullseye #1 Mine, S/023/0031 Juab, County, Utah

Dear Mr. Lister:

On October 14, 2009, the Division received notice from the Bureau of Land Management that you had increased the reclamation surety for the Bullseye #1 mine from \$5100.00 to \$7000.00. The bond rider also adds the Division of Oil, Gas and Mining to the bond.

The Division had requested that the bond be increased to \$7400.00 for a three-year escalation or \$7600.00 for a five-year escalation. The Division will accept the bond amount but only escalate the bond for one year. Therefore, next year (2010) the Division will evaluate the bond and could ask for additional bond. The current escalation rate is 1.3% and many operators are escalating the bond for five years to take advantage of the low rate.

Please provide the Division with an updated reclamation contract. The form can be downloaded at <http://ogm.utah.gov/minerals/MINERALSFORMS.htm>.

If you have any questions regarding the requirements of this letter, please contact me at (801) 538-5261, or Wayne Western at (801) 538-5263. Thank you for your cooperation.

Sincerely,

Paul B. Baker  
Minerals Program Manager

PBB:whw:pb  
cc: [Jerry\\_Mansfield@BLM.gov](mailto:Jerry_Mansfield@BLM.gov)  
P:\GROUPS\MINERALS\WP\M023-Juab\S0230031-Bullseye\final\Ntr-rc-3159-10192009.doc



1003



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Utah State Office

P.O. Box 45155

Salt Lake City, UT 84145-0155

<http://www.blm.gov/ut/st/en.html>

IN REPLY REFER TO:

3809

(UT-923-OA)

UTU-79716 & UTU-85817

October 7, 2009

### CERTIFIED MAIL-RETURN RECEIPT REQUESTED

#### DECISION

Operator/Principal:

Edwin P. Lister

P. O. Box 651

Delta, UT 84624

Financial Institution:

Wells Fargo Bank

225 W. Main

Delta, UT 84624

3809 Notice: UTU-85817  
(Formerly UTU-70643)

BLM Bond Number: UTB000114

Bond Amount: \$7,000.00

Personal Bond Increase Accepted

Personal Bond Rider Accepted

On October 6, 2009, this office received a rider to Bureau of Land Management (BLM) bond number UTB000114 and a cash (guaranteed check) bond in the amount of \$1,900. The rider increases the bond amount from \$5,100 to \$7,000 and extends bond coverage to cover all (past and future) liability under notice and mineral material sales operations covered by BLM serial number UTU85817 (formerly UTU-70643). The rider also adds the State of Utah, Division of Oil, Gas and Mining (OGM) to the bond.

It is understood and agreed that the Principal is posting this bond in favor of the United States and State of Utah, Division of Oil, Gas, and Mining (OGM). The bond rider has been examined, found satisfactory, and is therefore accepted effective October 6, 2009.

If you have any questions, or need additional information regarding this bond, please call Opie Abeyta at (801) 539-4123.

/s/ Roger L. Bankert

Roger L. Bankert  
Chief, Branch of Minerals

cc: Jerry Mansfield, FFO (UTW020)  
UDOGM (S/023/0031) (w/encl.)  
1594 W. North Temple, Suite 1210  
Salt Lake City, UT 84114

RECEIVED

OCT 14 2009

DIV. OF OIL, GAS & MINING

## PERSONAL BOND RIDER

In consideration for this rider and the acceptance of this rider by the Bureau of Land Management (BLM) on behalf of the United States of America, this rider attaches to and is part of the current Surface Management Bond, BLM No. UT B000114 further described as:

Issued on behalf of **Edwin P. Lister**

**Principal/Obligor, in favor of the United States. The bond provides coverage as shown below:**

**Individual notice/plan of operations – BLM serial number UTU-85817 (formerly UTU-70643)**

[illegible]

**This rider is to amend the bond as follows:**

**The Principal hereby agrees to and extends bond coverage to cover all (past and future) liability under notice/plan of operations/mineral material sales BLM serial number UTU-85817 (formerly ~~UTU-70423~~).**

It is understood and agreed that Edwin P. Lister, Principal, is increasing the coverage of this bond to the amount shown below; however, this rider shall not act to increase/decrease the actual cumulative or potential liability above the face amount of the bond, to wit: seven thousand and 00/dollars U.S. dollars (\$7,000.00).

**It is understood and agreed that the Principal is posting this bond in favor of the United States and State of Utah, Division of Oil, Gas, and Mining (OGM).**

### NOTE

**This coverage of obligations shall continue whether or not a notice/plan of operations has subsequently been suspended or terminated. This rider shall not act to increase the actual cumulative or potential liability of the principal or bond above the face amount of the bond. Nothing herein contained shall vary, alter, or extend any provision or condition of this bond except as herein expressly stated.**

Executed this 5<sup>th</sup> day of October, 2009.  
Principal Edwin P. Lister  
By Edwin P. Lister  
Title —  
Business Address — PO Box 651  
Delta UT 84624

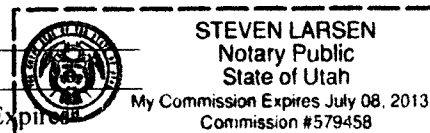
**ACKNOWLEDGMENT:**

State of Utah, County of Millard, Subscribed and sworn to before me  
this 5th day of October, 2009

By Edwin P. Lister

**Notary Public**

7/8/2013  
My Commission Expires



United States Department of the Interior  
Bureau of Land Management  
DIV OF LANDS & MINERALS  
PO BOX 45155 ATTN:ACCOUNTS  
SALT LAKE CITY, UT 84145 -0155  
Phone: (801) 539-4006

0A/SMB  
Receipt

No:

2011576

Transaction #: 2076442

Date of Transaction: 10/06/2009

**CUSTOMER:** EDWIN P LISTER  
PO BOX 651  
DELTA,UT 84624-0651 US

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / 3809/3802 SURFACE MGT BONDS / CASH BOND FILED CASES: UTU 085817/\$1900.00		- n/a -	1900.00
TOTAL:					\$1,900.00

**PAYMENT INFORMATION**

1	<b>AMOUNT:</b>	1900.00	<b>POSTMARKED:</b>	N/A
	<b>TYPE:</b>	CHECK	<b>RECEIVED:</b>	10/06/2009
	<b>CHECK NO:</b>	0304504348		
	<b>NAME:</b>	LISTER, EDWIN P PO BOX 651 DELTA UT 84624-0651 US		

**REMARKS**

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

FILE

PRINTED ON LINEMARK PAPER - HOLD TO LIGHT TO VIEW. FOR ADDITIONAL SECURITY FEATURES SEE BACK.

03045  
Office AU #

11-24  
1210(8)

OFFICIAL CHECK

0304504348

Operator I.D.: utah0812

PAY TO THE ORDER OF

\*\*\*BLM\*\*\*

October 05, 2009

\*\*\*One thousand nine hundred dollars and no cents\*\*\*

\*\*\*\$1,900.00\*\*\*

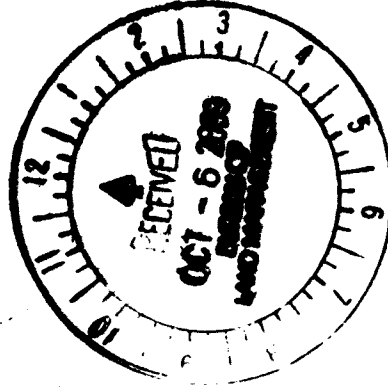
**- COPY -  
NOT NEGOTIABLE**

WELLS FARGO & COMPANY ISSUER  
420 MONTGOMERY STREET  
SAN FRANCISCO, CA 94163  
PAYABLE AT WELLS FARGO BANK, N.A.  
FOR INQUIRIES CALL (480) 394-3122

VOID IF OVER US \$ 1,900.00

*Richard Perry*  
CONTROLLER

Security Features Included. Details on Back.





# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Utah State Office  
P.O. Box 45155  
Salt Lake City, UT 84145-0155  
<http://www.blm.gov>

IN REPLY REFER TO:  
3809  
(UT-924-OA)  
UTU-70643

*Obligatory*  
*6/24/04*

June 24, 2004

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

## DECISION

Obligor/Operator:	:	Notice Operation:	UTU-70643
Edwin P. Lister	:		
P. O. Box 651	:	Bond Amount:	\$5,100.00
Delta, UT 84624	:		
	:		
Financial Institution:	:		
Wells Fargo Bank	:		
225 W. Main	:		
Delta, UT 84624	:		

Financial Guarantee Accepted  
Notice Extended

You filed a notice extending the above-mentioned notice with the Fillmore Field Office, Bureau of Land Management (BLM). The reclamation cost estimate is determined to be \$5,100.00 for the above-mentioned notice operation.

On June 23, 2004, this office received a Surface Management Personal Bond contract and evidence of a certificate of deposit (CD) account as the financial guarantee for the bond in the amount of \$5,100 to secure a bond for the notice identified above. The bond and the financial document have been examined and found satisfactory. The financial guarantee is accepted as of June 23, 2004, and accordingly, the above-mentioned notice is extended until January 20, 2005.

The bond covers operations conducted by or on behalf of the obligor/operator on the above-mentioned notice.

The pledge for the bond is a CD written by the financial institution named above. The CD will be retained in this office until all terms and conditions of the operations have been fulfilled or until a satisfactory replacement bond has been accepted. If the term of the CD expires prior to release or replacement of the bond, the obligor may request the return of the certificate only by providing a replacement certificate made payable to the Department of the Interior-BLM, and bearing interest payable to the obligor or some other party. Otherwise, the certificate will be redeemed or retained for potential redemption to guarantee fulfillment of the obligor's obligations on the above-mentioned notice.

Please be advised that release of the funds in the account to any party will be allowed only after Secretarial approval is given to the financial institution through the BLM Utah State Office. Also, any penalties for early redemption of the CD account will be paid from the obligor's interest earned and not from the principal amount of the CD.

If you have any questions, please contact Opolonia Abeyta at (801) 539-4123.

**James F. Kohler**

James F. Kohler,  
Chief, Branch of Solid Minerals

cc: Sheri Wysong, Fillmore Field Office (UT010)  
Terry Snyder, Utah State Office, UT-923  
Wayne Hedberg, UDOGM, File No. S/023/031

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT



**SURFACE MANAGEMENT PERSONAL BOND**

*Act of May 10, 1872, as amended (30 U.S.C. 22-54)*  
*Act of December 29, 1916, as amended (39 Stat. 862)*  
*Act of October 21, 1976, as amended (43 U.S.C. 1732-35, 1782)*  
*Act of September, 13, 1982 (31 U.S.C. 9301 et seq.)*  
*Act of September 27, 1988 (102 Stat. 1776)*  
*Act of April 16, 1993 (43 U.S.C. 299)*

Individual UTU-70643 ; or Statewide \_\_\_\_\_ ; or Nationwide \_\_\_\_\_  
(Enter BLM Serial No.) (Enter Name of State, if applicable) ("Yes," if applicable)

KNOW ALL MEN BY THESE PRESENTS, THAT Edwin P. Lister  
(name)  
of P.O. Box 651 Delta, Utah 84624  
(address)

as principal; is held firmly bound unto the United States of America in the sum of Five Thousand One Hundred U. S. dollars (\$ 5100<sup>00</sup> ).  
lawful money of the United States, which may be increased or decreased by a rider hereto executed in the same manner as this bond.

The principal, pursuant to the authority conferred by Section 1 of the Act of September 13, 1982 (31 U.S.C. 9303), does hereby constitute and appoint the Secretary of the Interior to act as his attorney-in-fact for the purpose of negotiating the cash, letters of credit, savings accounts, certificates of deposit, or securities. The interest accruing on the United States securities, cash, or other instruments given above, in the absence of any default in the performance of any of the conditions, or stipulations set forth in this bond, the plan of operations/notice, must be paid to the principal. The principal hereby, for any heirs, executors, administrators, successors, and assignees, jointly and severally, ratifies and confirms whatever the Secretary will do by virtue of these presents.

The Secretary will transfer this deposit for the faithful performance of any and all of the conditions and stipulations as set forth in this bond, the plan of operations/notice cited above, and the regulations at 43 CFR 3802 and 43 CFR 3809. In the case of any default in the performance of the conditions and stipulations of such undertaking, it is agreed that the Secretary will have full power to assign, appropriate, apply, or transfer the deposit, or any portion thereof, to the satisfaction of any damages, reclamation, assessments, penalties, or deficiencies arising by reason of such default.

**BOND CONDITIONS**

1. WHEREAS, the principal has an interest in a mining claim(s), mill site(s), or tunnel site(s) and/or responsibility for operations and/or reclamation on the mining claim(s), mill site(s), tunnel site(s) or public lands under the Acts cited in this bond; and
2. WHEREAS, the principal has filed an acceptable notice with the United States Department of the Interior, Bureau of Land Management (BLM) and/or received approval from the BLM of the plan of operations cited above and said plan of operations/notice contains certain stipulations and conditions; and
3. WHEREAS, the principal hereby waives any right to notice of, and agrees that this bond will remain in full force and effect notwithstanding:
  - a. Any transfer(s) in whole or in part, of any or all of the land covered by the plan of operations/notice further agrees to remain bound under this bond as to the interests in the plan of operations/notice retained by the principal; and
  - b. Any modification of the plan of operations/notice or obligations thereunder; and
4. WHEREAS, the principal hereby agrees that notwithstanding the cancellation or relinquishment of any mining claim(s), mill site(s), or tunnel site(s) covered by this plan of operations/notice, whether by operation of law or otherwise, the bond will remain in full force and effect as to the terms and conditions of the plan of operations/notice, and obligations covered by this bond; and
5. WHEREAS, the principal agrees that in the event of any default under the plan of operations/notice and/or reclamation plan the bond may be forfeited and, the United States, through the BLM, may commence and prosecute any claim, suit, or other proceeding against the principal without the necessity of joining the owner(s) of the mining claim(s), mill site(s), or tunnel site(s) covered by the plan of operations/notice; and
6. WHEREAS, if the principal fails to comply with the provisions of 43 CFR 3802 and 43 CFR 3809, the principal will also be subject to the applicable provisions and penalties of Sections 303 and 305 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1733 and 1735). This provision will not be construed to prevent the exercise by the United States of any other legal and equitable remedy, including waiver of the default; and

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212 make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

(Continued on page 2)

**BOND CONDITIONS (Continued)**

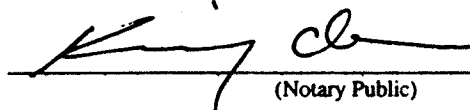
7. WHEREAS, on the faith of the foregoing promises, representations, and appointments, and in consideration of this bond, the United States has accepted the notice or approved the plan of operations referenced herein.
8. NOW, THEREFORE, the condition of this obligation is such that if said principal(s) their executors, administrators, successors, or assignees will, in all respects, faithfully comply with all of the provisions of the plan of operations/notice referenced herein, any amendments thereto, and the regulations at 43 CFR 3802 or 43 CFR 3809, then this obligation will be null and void and this bond will remain in full force and effect.

Executed this 22<sup>nd</sup> day of JUNE, 20 04

State of UTAH

County of MILLARD

Subscribed and sworn to before me this 22<sup>nd</sup> day  
of JUNE, 20 04

  
(Notary Public)

Bureau of  
Land Management

Principal

By Edwin P. Lister  
(Print name)

Signature Edwin P. Lister

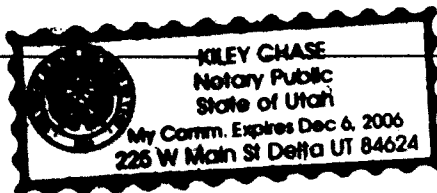
Title Operator

Business Address P.O. Box 651

Delta, Utah 84624

12.6.2006

(Date Commission Expires)



(TIN or SSN No., if applicable)

If this bond is executed by a corporation, it should bear the seal of the corporation, if applicable.

**NOTICE**

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

**AUTHORITY:** 30 U.S.C. 22 et seq.; 43 U.S.C. 1732[b] and 1782[c]; 31 U.S.C. 9301 et seq.; 43 CFR 3802 and 43 CFR 3809.

**PRINCIPAL PURPOSE:** Information is being used to establish financial responsibility for surface disturbance on public lands.

**ROUTINE USES:** BLM will only disclose the information according to the regulations at 43 CFR 2.56(d).

**EFFECT OF NOT PROVIDING INFORMATION:** Disclosure of the information is necessary to receive a benefit. Failure to disclose this information may result in BLM's rejection of your application.

The Paperwork Reduction Act of 1995 requires us to inform you that:

BLM collects this information to grant the right to conduct exploration and mining activities on public lands.

Response to this request is required to obtain a benefit.

BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

**BURDEN HOURS STATEMENT**

Public reporting burden for this form is estimated to average 8 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0194), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Washington, D.C. 20240.

# Time Account Receipt/Disclosure

Bank name

Wells Fargo Bank, N.A.

Time Account number

1851324283

Maturity date

Your Time Account will mature on

06/22/2006

Interest will be paid

EVERY 03 MONTHS AND AT WITHDRAWAL

The method of interest payment will be

BY ADDING TO PRINCIPAL

Renewability

YOU WILL AUTOMATICALLY RENEW MY TIME ACCOUNT  
AT MATURITY UNLESS I NOTIFY YOU OTHERWISE

The Bank is opening the above described Time Account for you to deposit

FIVE THOUSAND ONE HUNDRED AND 0/100

Your name and address

EDWIN P LISTER PAYABLE TO THE US DEPARTMENT OF  
INTERIOR - BLM  
PO BOX 651  
DELTA UT 84624-0651

**- COPY -  
NOT NEGOTIABLE**

Date opened

06/22/2004

Term of Time Account

24 months days

Interest rate

1.54

Fixed rate

X

Variable rate

Annual percentage yield

1.55

Taxpayer Identification Number (TIN)

\$ 5,100.00



**- COPY -  
NOT NEGOTIABLE**

06/22/2004 15:05

U5182 02859 Bank# 00119

This is a receipt. It need not be presented at the time you obtain payment from the Bank.

RSPO 2 FSS RST PLEDGE INQ/MAINT 04/06/22 17.07.33  
RSMU CO 119 OP MS ACTION SUCCESSFUL  
ACTION INQ COID 119 ACCT COND  
PROD CODE CDA ACCT [REDACTED] SHORT NAME LISTER EDWIN P  
CLASS 2 (1,2,3) TYPE 1 SEQ 1 CURRENCY

ORIGINAL PLEDGE AMT.... .00 DATE PLACED..... 104/06/22  
CURRENT PLEDGE AMT..... .00 DATE EXPIRES..... 999/99/99  
STATUS CODE..... 1

PLEDGED TO PRODUCT..... REVIEW FREQUENCY.....  
PLEDGED TO ACCT NO..... 0000000000000000 LAST REVIEW DATE.....

SPECIAL COMMENTS LINE 1 SPECIAL PURPOSE CD  
LINE 2 SECRETARY OF THE INTERIOR-BLM  
RESTRAINT REASON LINE 1 MUST APPROVE THE REDEMPTION OF  
LINE 2 THE CD BY ANY PARTY.

## STATUS CODE VALUES :

1 = ACTIVE

2 = DELETE

A = ACTIVE PAID

B = DELETE PAID

PF: 2-CONT 4-CHG 5-FAD 6-INQ 9-NXT ...-DEL ...-ADD

4-0

A

3270 Ses 10.103.30.202

LUDKQOC

3/9



call Kiley Chase - Delta Branch if any questions  
WELLS FARGO BANK

225 W Main, Delta UT 84624

Name: utah2166 - Date: 06/22/2004 Time: 16:07:38

(435) 864-27